



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

In replying refer to:  
Public Notice Number: **NAN-2007-1589-EJE**  
Issue Date: **March 5, 2008**  
Expiration Date: **April 5, 2008**

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To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: New York City Department of Sanitation  
44 Beaver Street  
New York, N.Y. 10004

ACTIVITY: Construct A Replacement North Shore Marine Transfer Station Pier Platform and Maintenance Dredging with Upland Placement of the Dredged Materials

WATERWAY: Flushing Bay

LOCATION: Foot of 31<sup>st</sup> Avenue, College Point, Borough of Queens, Queens County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

The Corps of Engineers preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the Corps of Engineers is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area.

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all Federal agencies to consult with the National Oceanic and Atmospheric Administration-Fisheries Service (NOAA-FS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). A complete description of the proposed activity is given in the enclosed work description. The Corps of Engineers has made the preliminary determination that the site-specific adverse effects are not likely to be substantial. Further consultation with NOAA-FS regarding EFH impacts and conservation recommendations is being conducted and will be concluded prior to the final decision.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

Pursuant to Section 307 (c) of the Coastal Zone Management Act of 1972 as amended [16 U.S.C. 1456 (c)], for activities under consideration that are located within the coastal zone of a state which has a federally approved coastal zone management program, the applicant has certified in the permit application that the activity complies with, and will be conducted in a manner that is consistent with, the approved state coastal zone management program. By this public notice, we are requesting the state's concurrence with, objection to, or waiver of the applicant's certification. No permit decision will be made until one of these actions occurs. For activities within the coastal zone of New York State, the applicant's certification and accompanying information is available from the Consistency Coordinator, New York State Department of State, Division of Coastal Resources and Waterfront Revitalization, Coastal Zone Management Program, 41 State Street, Albany, New York 12231, Telephone (518) 474-6000. Comments regarding the applicant's certification, and copies of any letters to this office commenting upon this proposal, should be so addressed.

In addition to any required water quality certificate and coastal zone management program concurrence, the applicant has obtained the following governmental authorization for the activity under consideration:

- New York State Department of Environmental Conservation Tidal Wetlands Permit
- New York State Department of Environmental Conservation Protection of Waters Permit
- New York State Department of Environmental Conservation Solid Waste Management Permit
- New York State Department of Environmental Conservation Facility Air Permit

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8420 and ask for Stacey M. Jensen.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>

  
Richard L. Tomer  
Chief, Regulatory Branch

### WORK DESCRIPTION

The permit applicant, the New York City Department of Sanitation, has submitted a permit application for a Department of the Army permit to perform regulated construction work in order to replace and upgrade the existing North Shore Marine Transfer Station pier platform and berths at their existing waterfront terminal in Flushing Bay at New York City, Borough of Queens, Queens County, New York. The adjacent deep-draft waterway is the Flushing Bay federal navigation channel.

The existing 41,000 square foot North Shore Marine Transfer Station pile-supported pier platform would be removed and replaced with a new 86,300 square foot pile-supported reconfigured pier platform. The replacement platform will support a new enclosed building where collection trucks will transfer their contents to containers which will then be sealed inside the building. After being sealed, the containers will be moved outside of the building for direct loading onto waiting barges. A timber fendering system will be constructed to guide the barges into the loading berths to receive the sealed containers.

The regulated work includes the placement of approximately 200 cubic yards of stone riprap along the shoreline to protect a new upland retaining wall as shown on attached drawings numbered 2 of 12 and 5 of 12.

As shown on the attached drawing numbered 10 of 12, as is the case for the existing North Shore Marine Transfer Station structures, the new pile-supported pier platform and fendering system will be landward of the mapped U.S. Pierhead Line in Flushing Bay.

As is permitted for the existing North Shore Mariner Transfer Station [Department of the Army Permit Number NAN-98-00860-NYC], to assure safe water depths at the facility, the permit applicant is requesting permission to perform maintenance dredging with upland placement of the dredged material.

The initial dredged material amount of approximately 25,000 cubic yards would be removed from the berths and access channel to a maximum depth of 24 feet below the plane of Mean Low Water, including an additional two feet of allowable overdepth dredging to ensure the required safe navigation depths are achieved, using a standard environmental clamshell mechanical bucket dredge to minimize loss of the dredged material as it is placed in water-tight hopper barges. As is called for in the New York State Department of Environmental Conservation issued Water Quality Certificate, no dredging will be performed during the period November 15<sup>th</sup> through May 31<sup>st</sup> of any year.

The purpose of the requested maintenance dredging is to restore previously authorized depths in the berths so the barges can continue to safely maneuver and moor in the berths.

5 March 2008

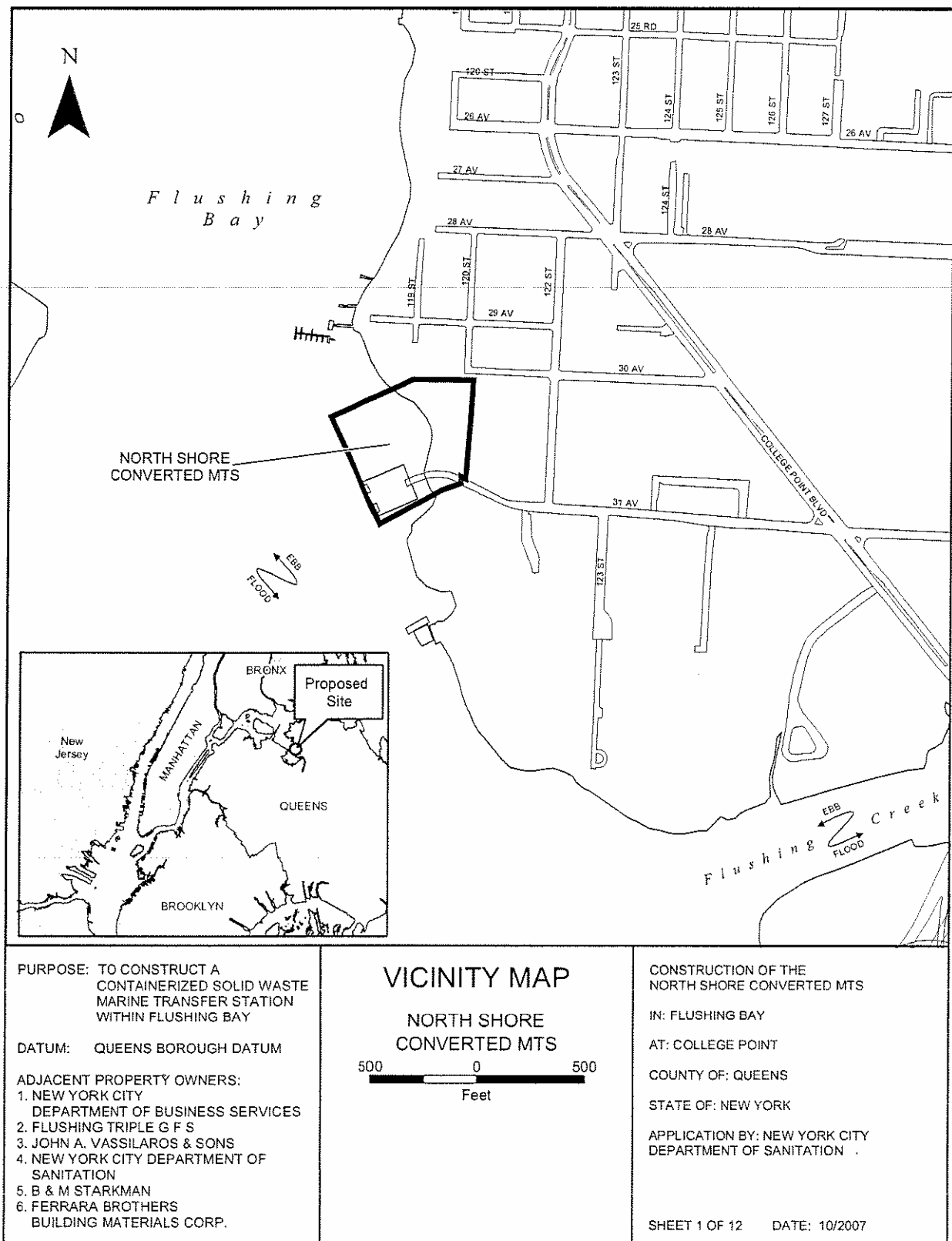
During the placement of the dredged material into the required water-tight hopper barges, overfilling the barges to force excess water out to obtain the most economic barge load, a standard technique known as barge overflow, would not be permitted here in order to minimize loss of dredged material. The dredged material would be allowed to settle for a minimum of twenty four hours in the water-tight hopper barge. After the settling period, the remaining overlying decant water would be pumped overboard before moving the water-tight hopper barge to the dredged material processing location. As is standard practice, portland cement and/or other State-approved additives would be mixed with the dewatered dredged material within the water-tight hopper barges to stabilize the dredged material sufficiently so it can be beneficially used as upland construction fill in a State-approved upland location.

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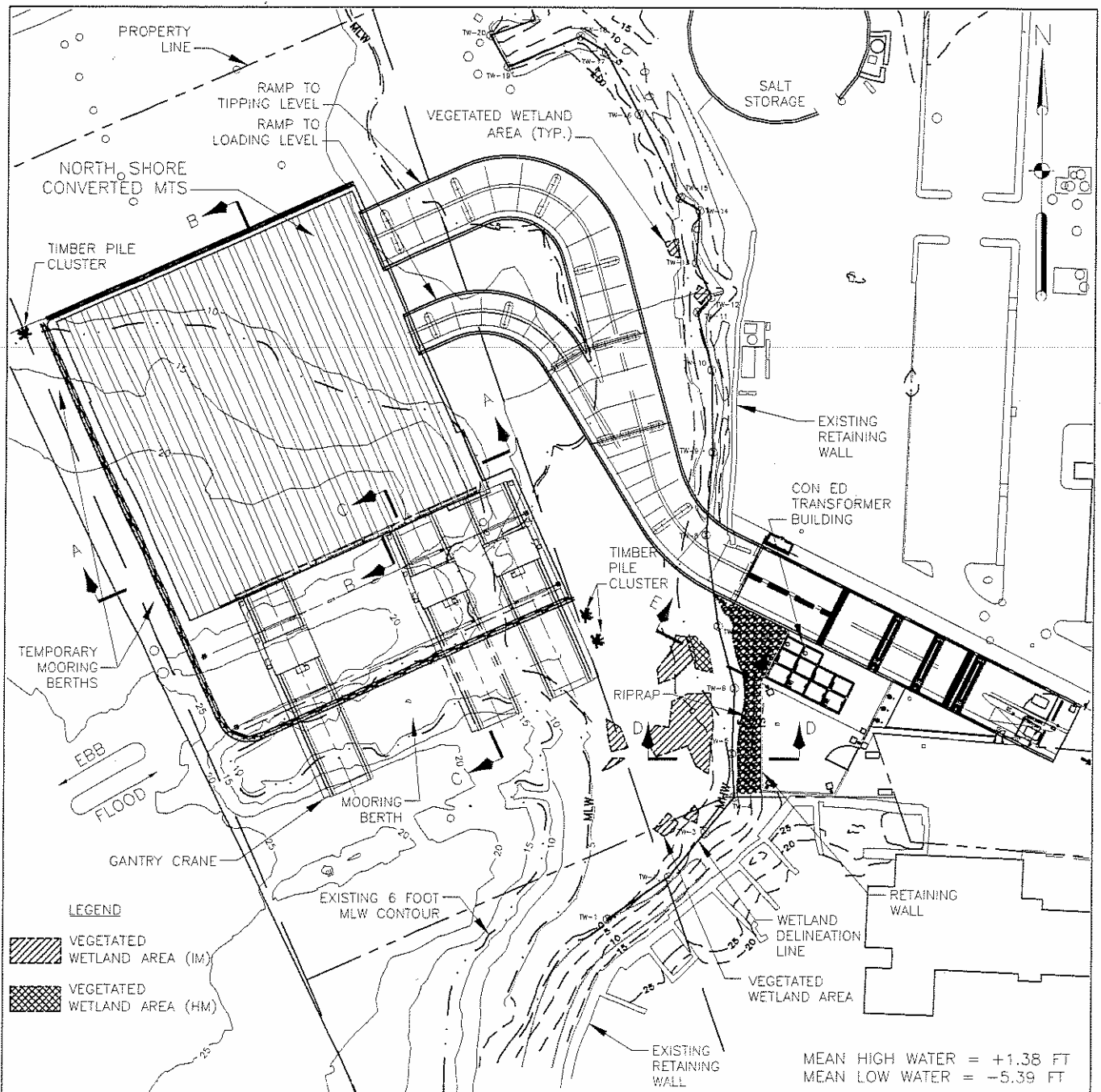
The proposed dredging and shoreline protection riprap work, if permitted, would result in the loss of approximately 2,100 square feet of vegetated (*Spartina Alterniflora*) wetlands marsh, and approximately 225 square feet of vegetated (*Phragmites australis*) wetlands high marsh. The permit applicant proposes to create wetlands at a 3:1 mitigation ratio. Development of the converted facility would result in a total effect of 73,478 square feet upon littoral zone and marsh areas, with a net effect of 58,704 square feet due to the removal of 14,774 square feet for the existing Marine Transfer Station. The proposed net effect on non-littoral zone areas due to the proposed structure and dredging would be 20,347 square feet, which would reflect the new footprint and construction area of 45,697 square feet combined with the decrease in non-littoral zone facilities associated with the removal of the existing facility of 25,350 square feet. After commencement of facility operations, a 150 foot long by 45 foot wide barge would be moored almost permanently at the mooring berth, resulting in an additional effect to littoral zone of approximately 6,750 square feet.

The applicant's stated purpose for this regulated construction work is to replace the existing North Shore Marine Transfer Station with a new facility explicitly designed to facilitate the transfer in a totally enclosed indoor space of solid waste from collection vehicles into sealed, leak-proof containers that would be placed on barges for transport directly to a sanitary waste disposal site or to an intermodal railroad facility where the containers would be placed on to railcars for transport to a sanitary waste disposal site. The permit applicant reports the North Shore Converted Marine Transfer Station would serve as the transfer point for an average of 3,200 tons per day of collected waste from Queens Community Districts seven through fourteen and private collection companies.

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USACE FILE: NAN-2007-1589-EJE



PURPOSE: TO CONSTRUCT A  
CONTAINERIZED SOLID WASTE  
MARINE TRANSFER STATION  
WITHIN FLUSHING BAY

DATUM: QUEENS BOROUGH DATUM

ADJACENT PROPERTY OWNERS:

1. NEW YORK CITY  
DEPARTMENT OF BUSINESS SERVICES
2. FLUSHING TRIPLE G F S
3. JOHN A. VASSILAROS & SONS
4. NEW YORK CITY  
DEPARTMENT OF SANITATION
5. B & M STARKMAN
6. FERRARA BROTHERS  
BUILDING MATERIALS CORP.

CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

IN: FLUSHING BAY

AT: COLLEGE POINT

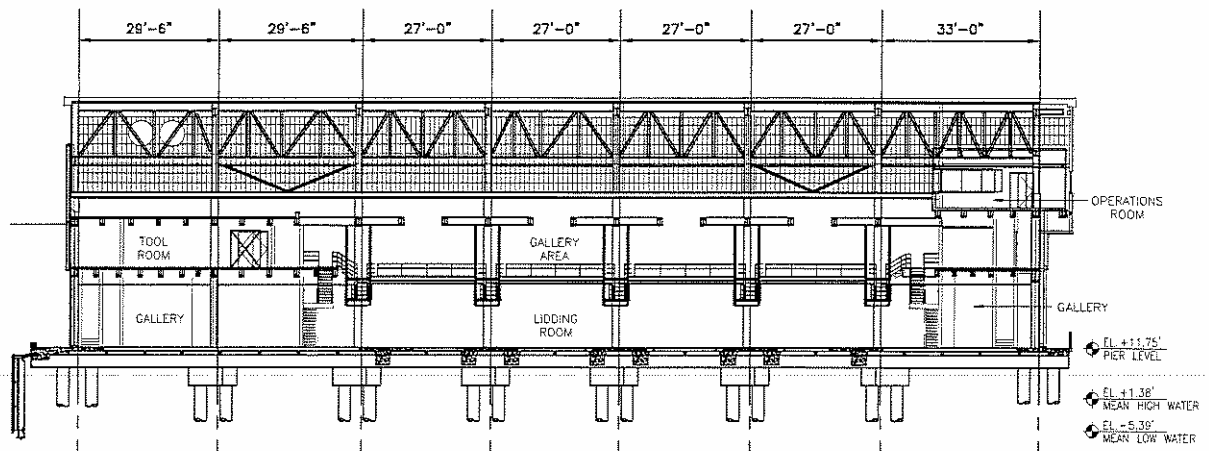
COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

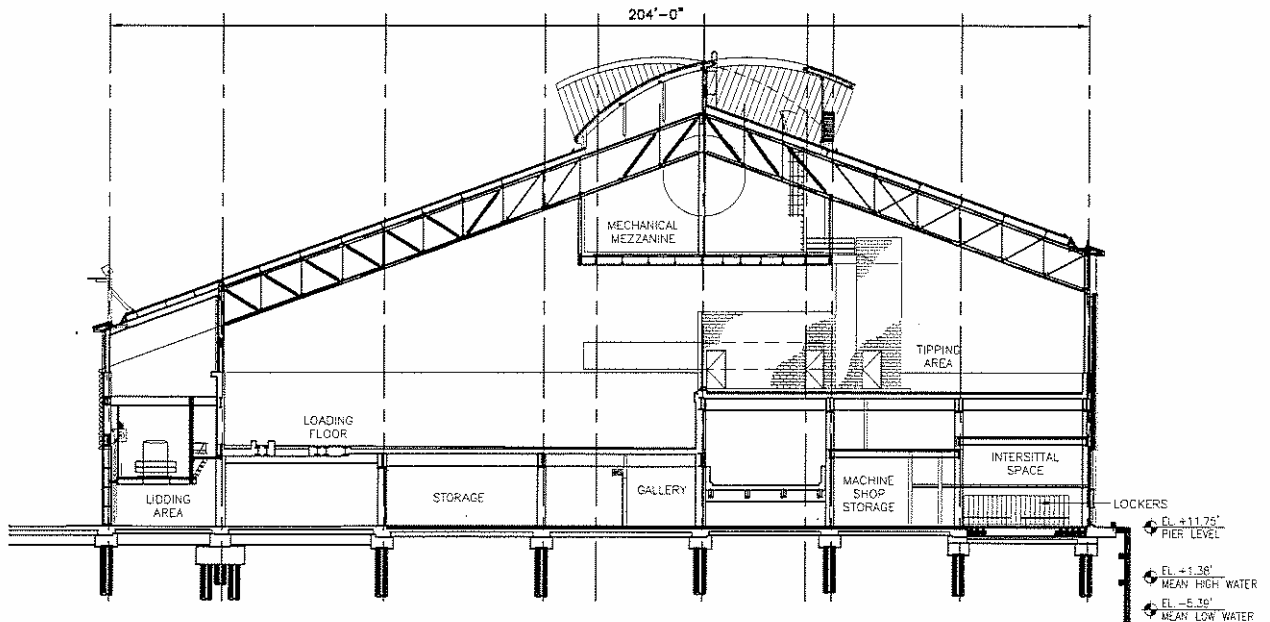
SHEET 2 OF 12 DATE: 10/2007

USACE FILE: NAN-2067-1589- EJE



**BUILDING SECTION A-A**

SCALE: 1"=40'



**BUILDING SECTION B-B**

SCALE: 1"=40'

PURPOSE: TO CONSTRUCT A  
CONTAINERIZED SOLID WASTE  
MARINE TRANSFER STATION  
WITHIN FLUSHING BAY

DATUM: QUEENS BOROUGH DATUM

ADJACENT PROPERTY OWNERS:

1. NEW YORK CITY  
DEPARTMENT OF BUSINESS SERVICES
2. FLUSHING TRIPLE G F S
3. JOHN A. VASSILAROS & SONS
4. NEW YORK CITY  
DEPARTMENT OF SANITATION
5. B & M STARKMAN
6. FERRARA BROTHERS  
BUILDING MATERIALS CORP.

## BUILDING SECTIONS



SCALE: 1"=40'

CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

IN: FLUSHING BAY

AT: COLLEGE POINT

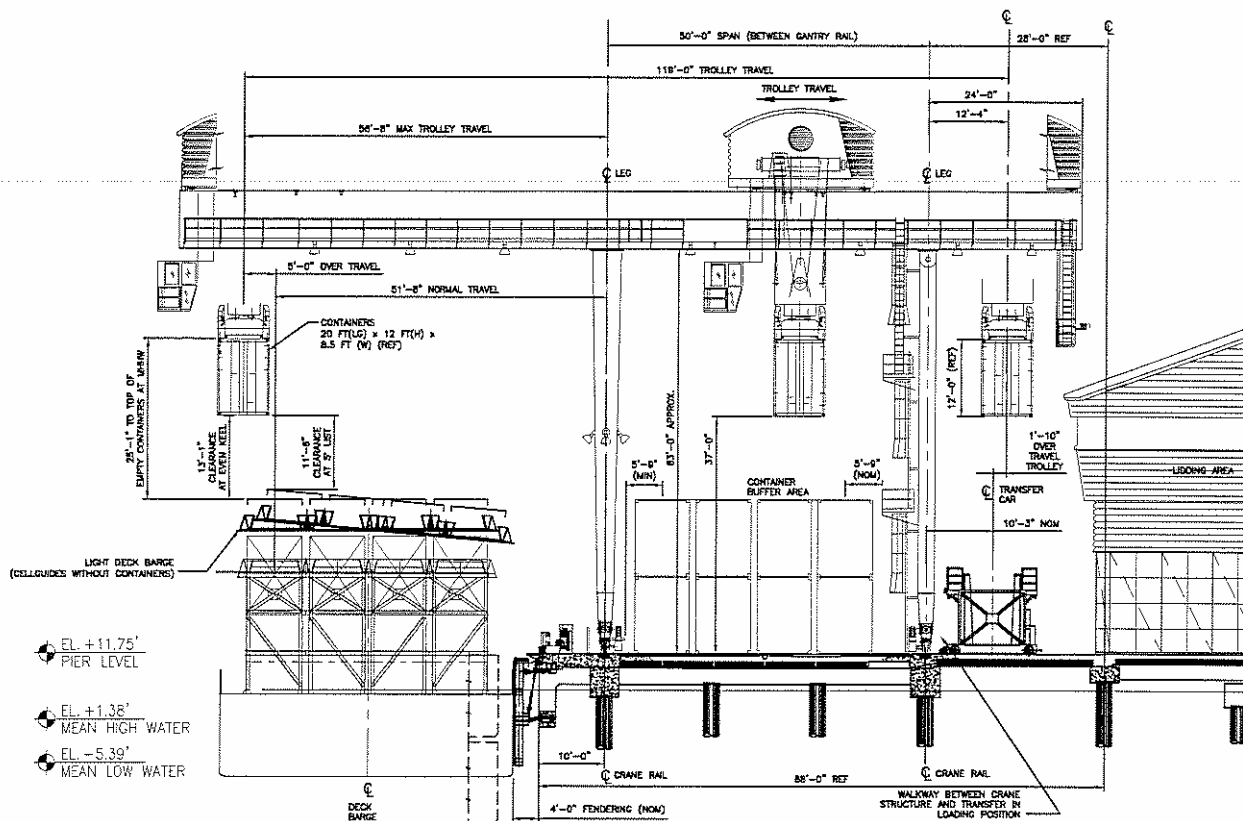
COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

SHEET 3 OF 12 DATE: 10/2007

USACE FILE: NAN-2007-1589-EJE



BUILDING SECTION C-C

SCALE: 1"=30'

PURPOSE: TO CONSTRUCT A  
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MARINE TRANSFER STATION  
WITHIN FLUSHING BAY

DATUM: QUEENS BOROUGH DATUM

ADJACENT PROPERTY OWNERS:

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3. JOHN A. VASSILAROS & SONS
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DEPARTMENT OF SANITATION
5. B & M STARKMAN
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BUILDING MATERIALS CORP.

## BUILDING SECTION

CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

IN: FLUSHING BAY

AT: COLLEGE POINT

COUNTY OF: QUEENS

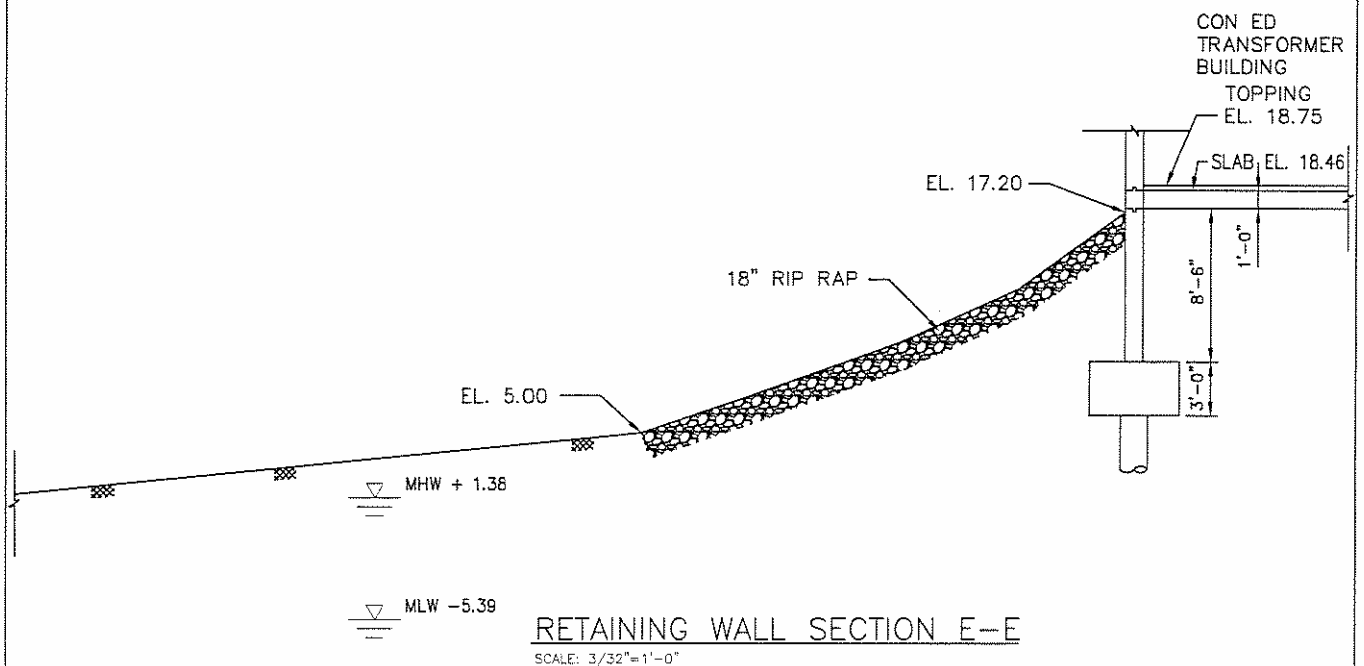
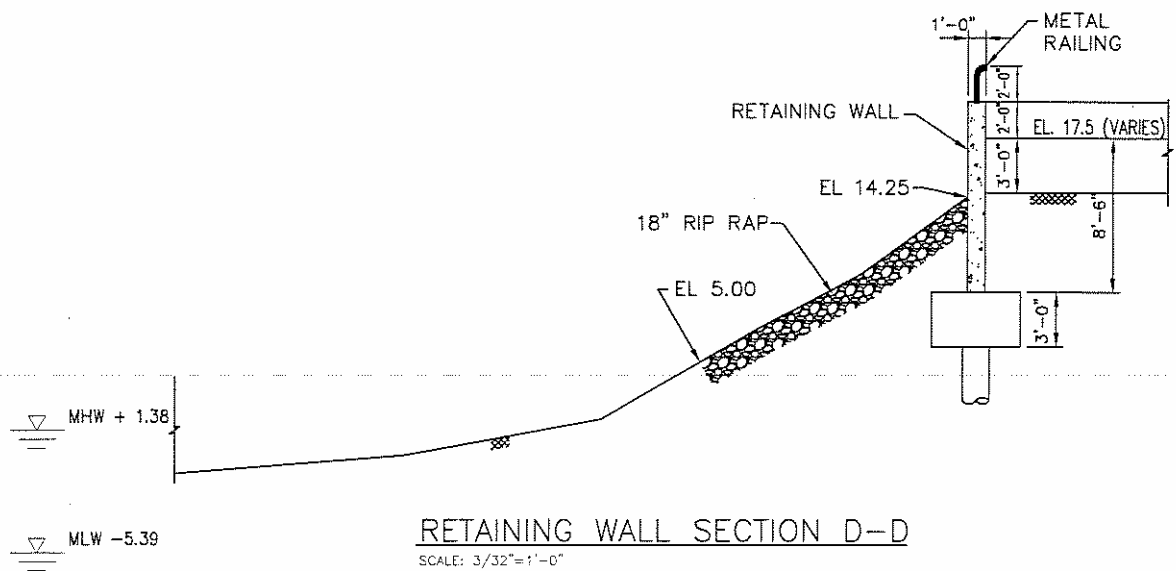
STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

SHEET 4 OF 12 DATE: 10/2007

USACE FILE: NAN- 2007-1589-EJE





PURPOSE: TO CONSTRUCT A  
CONTAINERIZED SOLID WASTE  
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DATUM: QUEENS BOROUGH DATUM

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## RETAINING WALL CROSS-SECTIONS

CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

IN: FLUSHING BAY

AT: COLLEGE POINT

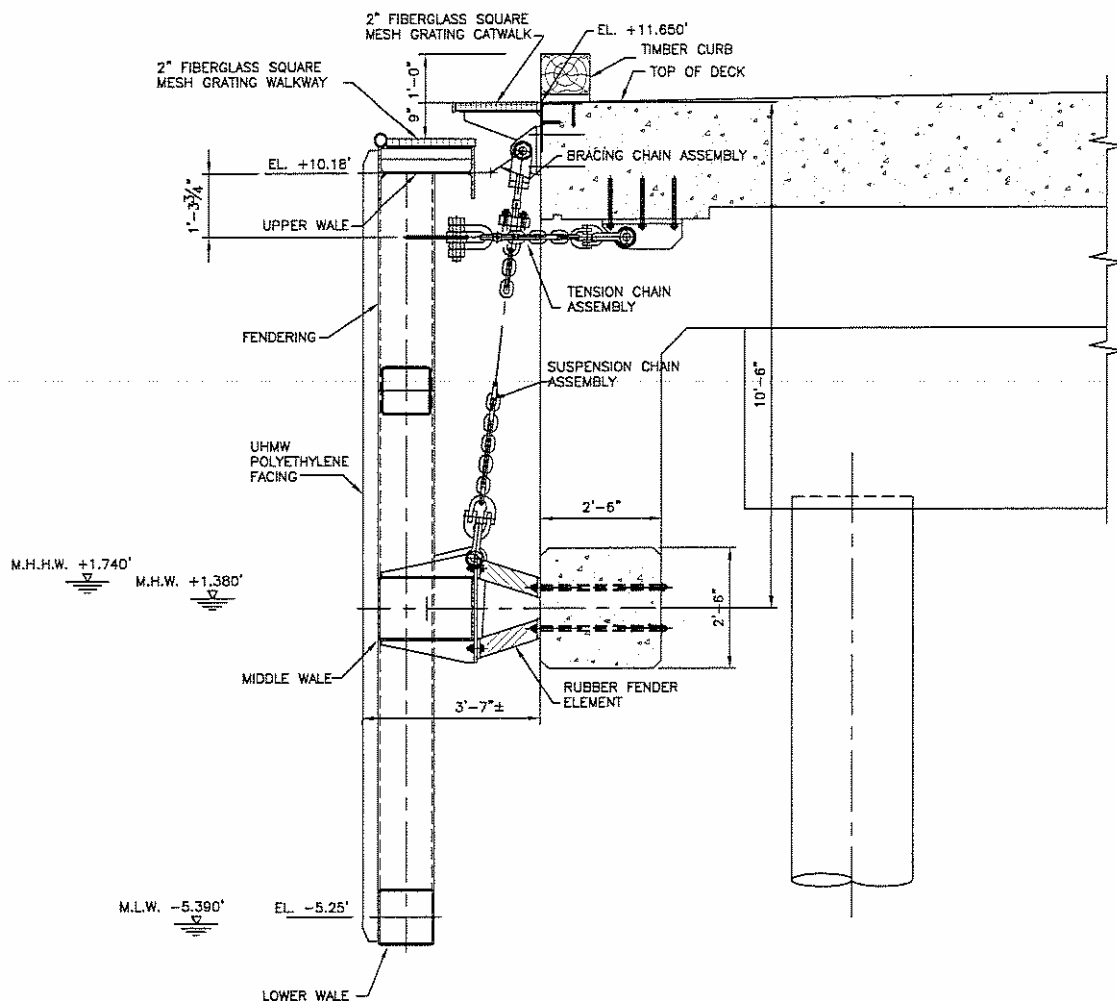
COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

SHEET 5 OF 12 DATE: 10/2007

USACE FILE: NAN-2007-1589-EJE



### CROSS-SECTION

SCALE: 1/4"=1'-0"

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### TYPICAL FENDERING CROSS-SECTION

CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

IN: FLUSHING BAY

AT: COLLEGE POINT

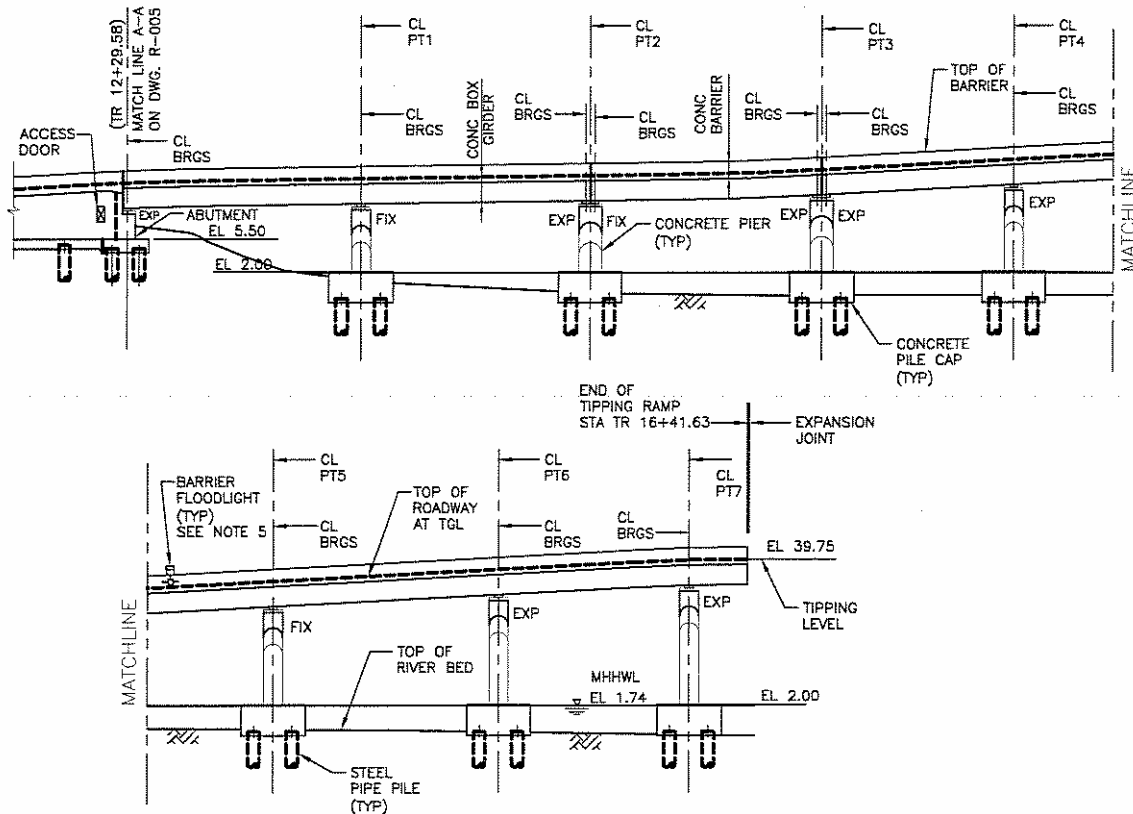
COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

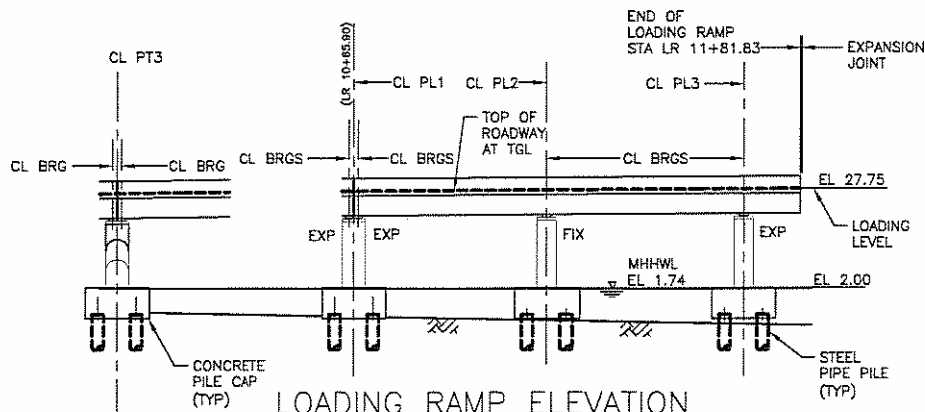
SHEET 6 OF 12 DATE: 10/2007

USACE FILE: N A N- 2007-1589- EJE



### TIPPING RAMP ELEVATION

SCALE: 1"=50'



### LOADING RAMP ELEVATION

SCALE: 1"=50'

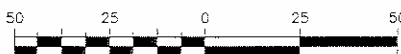
PURPOSE: TO CONSTRUCT A  
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DATUM: QUEENS BOROUGH DATUM

ADJACENT PROPERTY OWNERS:

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### RAMP ELEVATIONS



SCALE: 1"=50'

CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

IN: FLUSHING BAY

AT: COLLEGE POINT

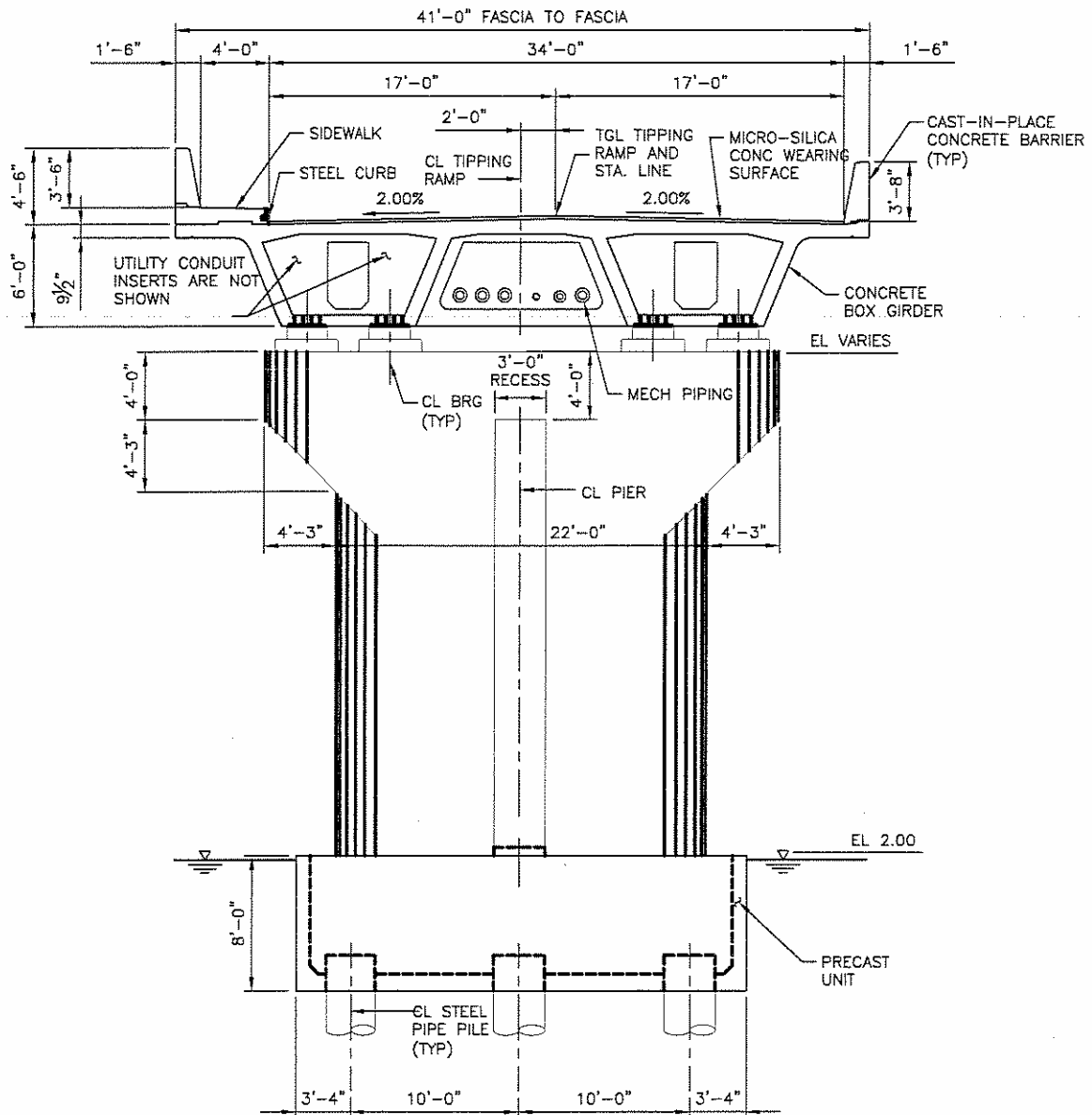
COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

SHEET 7 OF 12 DATE: 10/2007

USACE FILE: NAN-2007-1589-EJE



PURPOSE: TO CONSTRUCT A  
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## TYPICAL RAMP CROSS-SECTION



SCALE: 3/32" = 1'-0"

CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

IN: FLUSHING BAY

AT: COLLEGE POINT

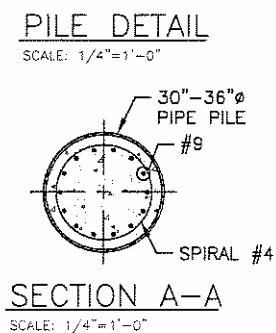
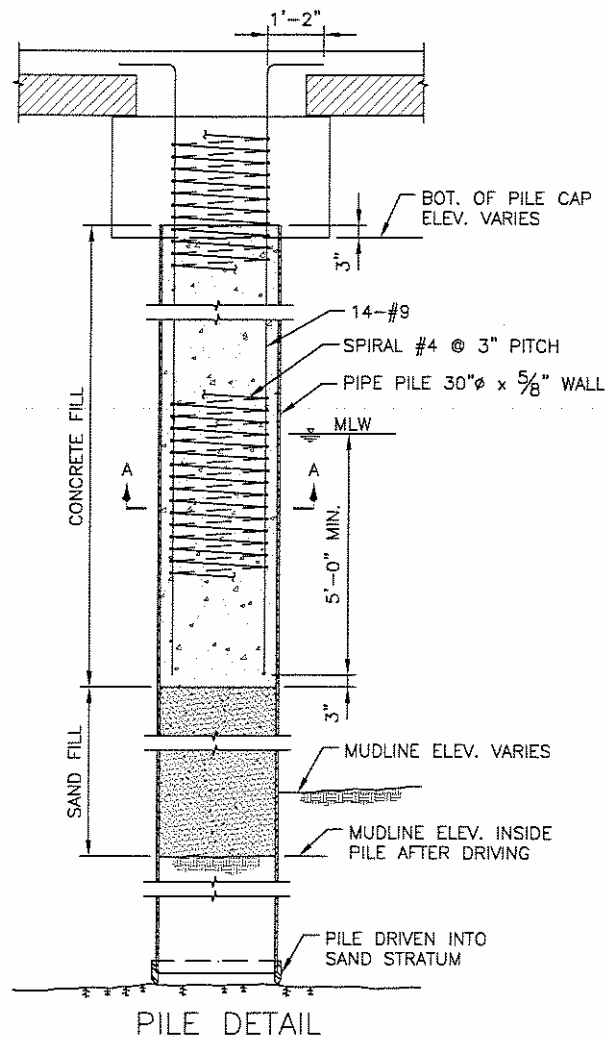
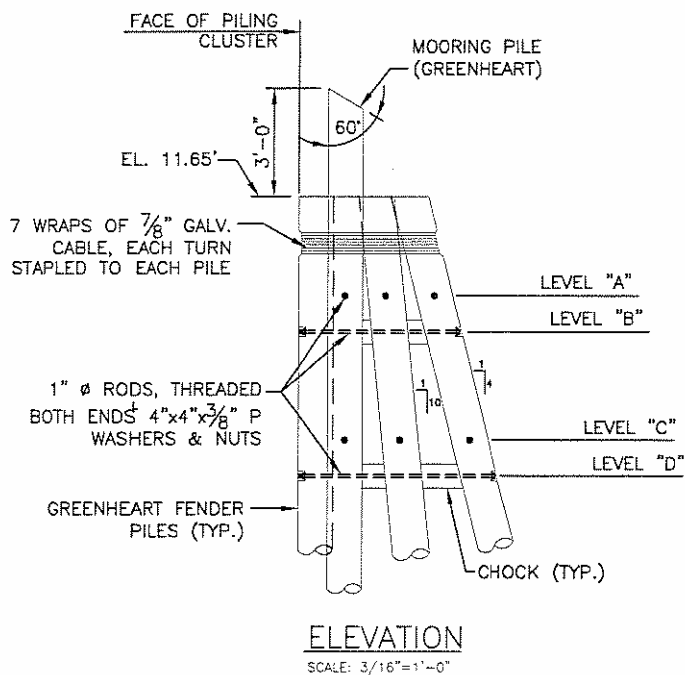
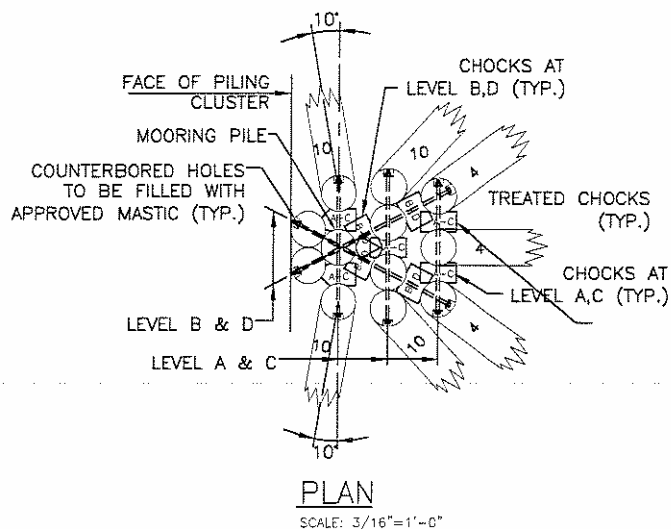
COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

SHEET 8 OF 12 DATE: 10/2007

USACE FILE: NAN-2007-1589-EJE



PURPOSE: TO CONSTRUCT A  
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DATUM: QUEENS BOROUGH DATUM

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## TYPICAL FENDERING PILE AND TIMBER PILE CLUSTER

SCALE AS SHOWN

CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

IN: FLUSHING BAY

AT: COLLEGE POINT

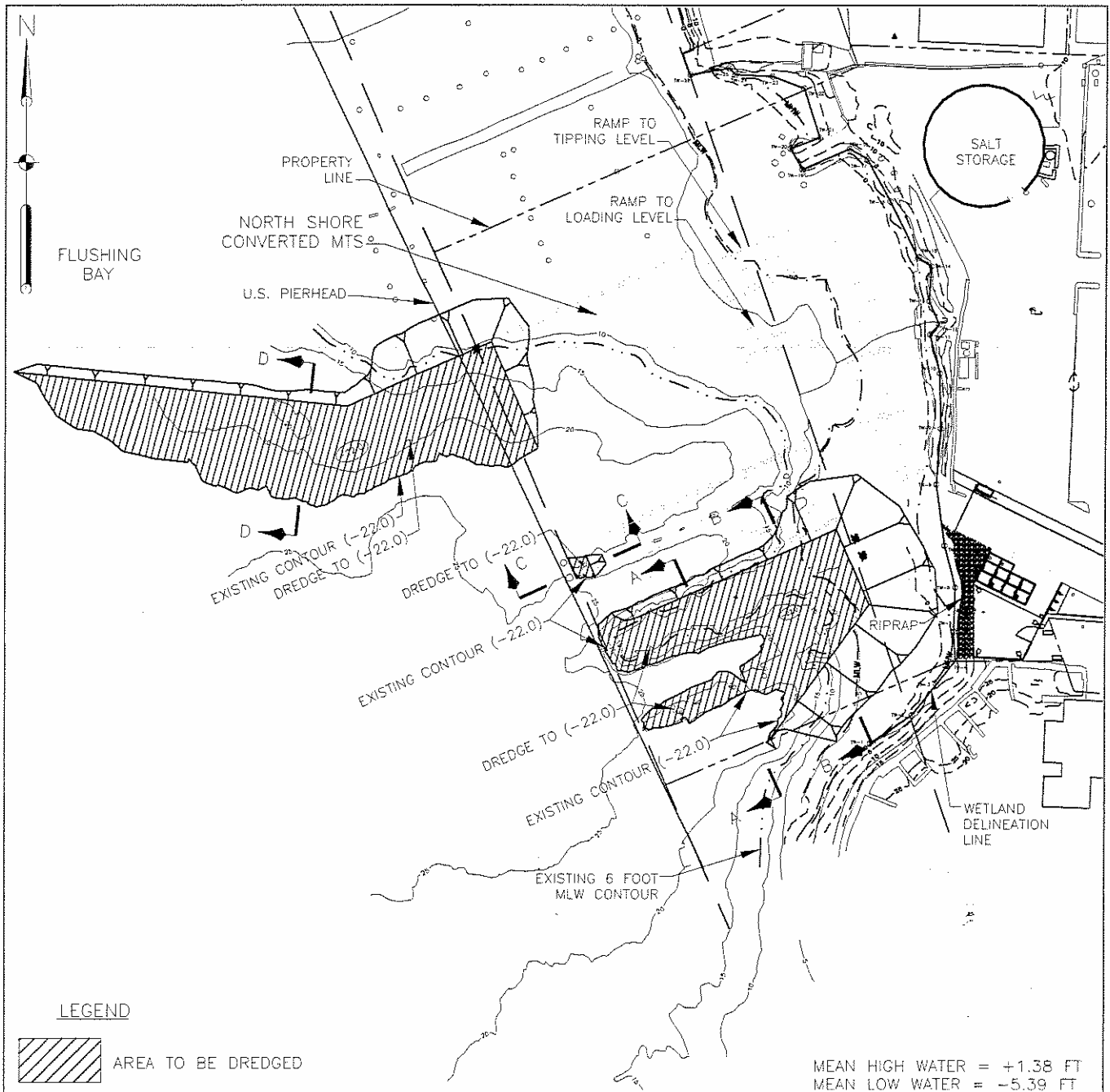
COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

SHEET 9 OF 12 DATE: 10/2007

USACE FILE: NAH-2007-1589-EJE



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## DREDGE PLAN



SCALE: 1"=150'

CONSTRUCTION OF THE  
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IN: FLUSHING BAY

AT: COLLEGE POINT

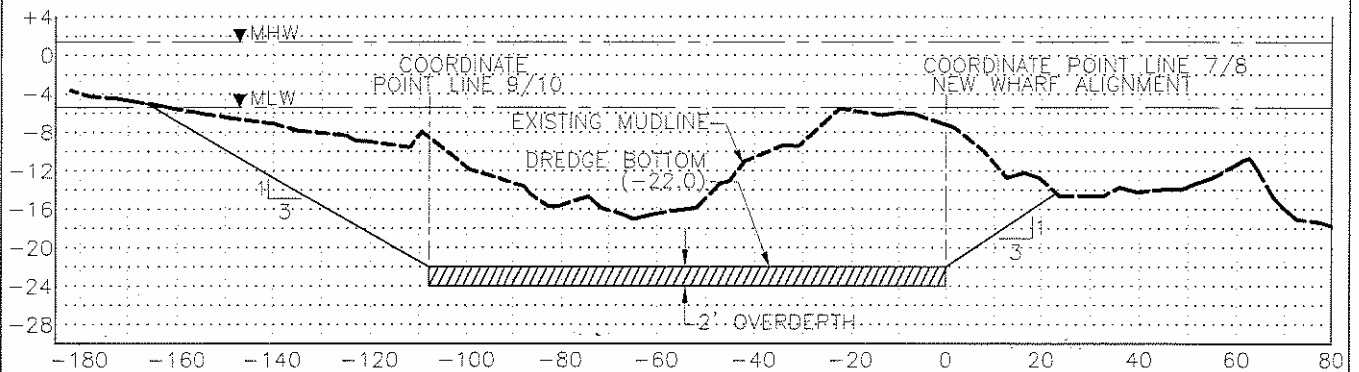
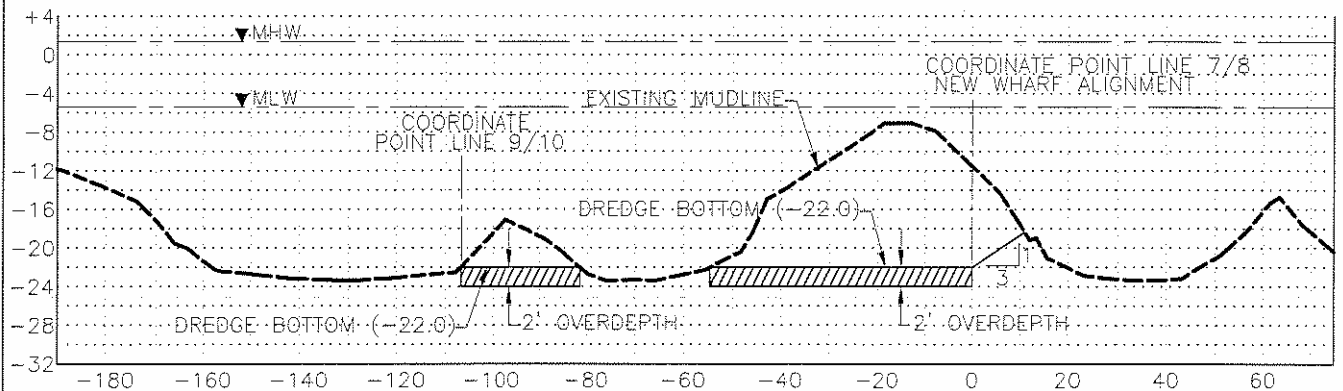
COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

SHEET 10 OF 12 DATE: 10/2007

USACE FILE: NAN-2007-#589-EJE



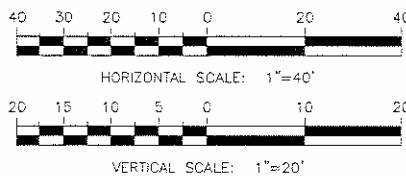
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## CROSS-SECTIONS



CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

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AT: COLLEGE POINT

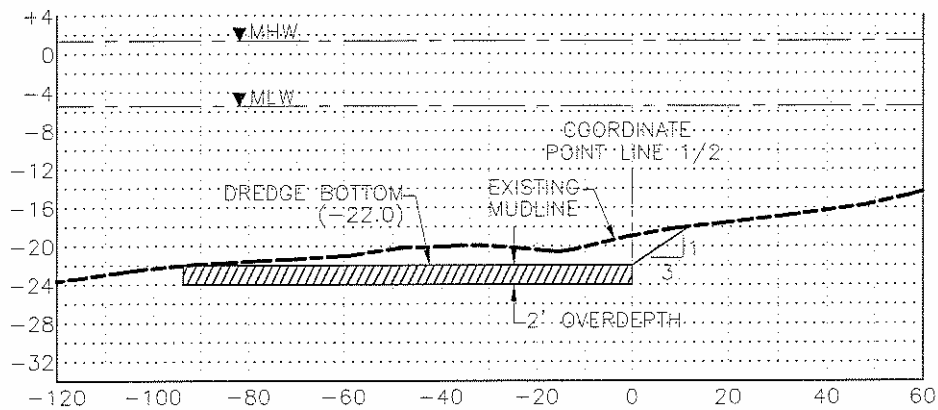
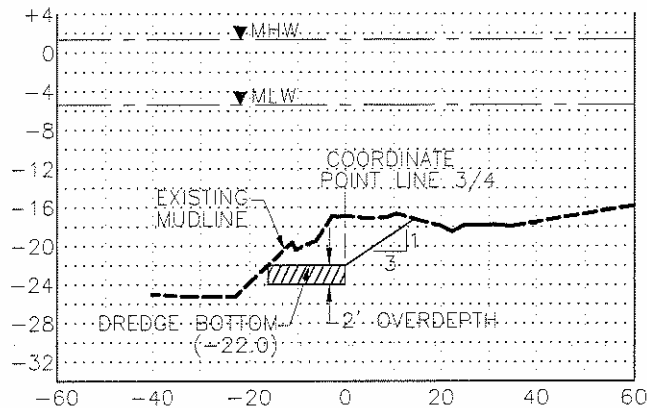
COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

SHEET 11 OF 12 DATE: 10/2007

USACE FILE: N A N-2007-1589-EJE



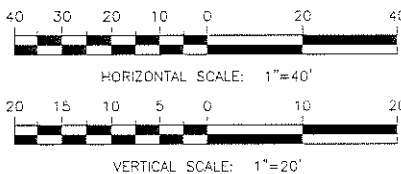
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CONSTRUCTION OF THE  
NORTH SHORE CONVERTED MTS

IN: FLUSHING BAY

AT: COLLEGE POINT

COUNTY OF: QUEENS

STATE OF: NEW YORK

APPLICATION BY: NEW YORK CITY  
DEPARTMENT OF SANITATION

SHEET 12 OF 12 DATE: 10/2007

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